

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 GEOFFREY WARD  
Deputy Attorney General  
4 State Bar No. 246437  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2660  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2013-331*

11 **TRESSA GILL BLACK**

**A C C U S A T I O N**

12 **P.O. Box 1815**  
13 **Albany, LA 70711**

14 **Registered Nurse License No. 583059**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., R.N. ("Complainant") brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
21 Department of Consumer Affairs.

22 2. On or about July 9, 2001, the Board issued Registered Nurse License Number 583059  
23 to Tressa Gill Black ("Respondent"). The Registered Nurse License expired on March 31, 2003  
24 and has not been renewed.

25 **JURISDICTION**

26 3. Section 2750 of the Business and Professions Code (all section references are to the  
27 Business and Professions Code unless otherwise noted) in pertinent part provides the Board may  
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1 discipline any licensee, including a licensee holding a temporary or an inactive license, for any  
2 reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

3 4. In pertinent part, Section 2764 provides the expiration of a license shall not deprive  
4 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to  
5 render a decision imposing discipline on the license. Under section 2811 subdivision (b) the  
6 Board may renew an expired license at any time within eight years after the expiration.

7 5. Section 118 subdivision (b) grants the Board jurisdiction over suspended, expired,  
8 forfeited, cancelled, or surrendered licenses:

9 "The suspension, expiration, or forfeiture by operation of law of a license  
10 issued by a board in the department, or its suspension, forfeiture, or cancellation by  
11 order of the board or by order of a court of law, or its surrender without the written  
12 consent of the board, shall not, during any period in which it may be renewed,  
13 restored, reissued, or reinstated, deprive the board of its authority to institute or  
continue a disciplinary proceeding against the licensee upon any ground provided by  
law or to enter an order suspending or revoking the license or otherwise taking  
disciplinary action against the licensee on any such ground."

#### 14 STATUTES

15 6. In pertinent part, Section 2761 authorizes the Board to discipline licensees who have  
16 been disciplined by another state:

17 "The board may take disciplinary action against a certified or licensed  
18 nurse or deny an application for a certificate or license for any of the following:

19 (a) Unprofessional conduct, which includes, but is not limited to, the  
20 following:

21 (4) Denial of licensure, revocation, suspension, restriction, or any other  
22 disciplinary action against a health care professional license or certificate by another  
23 state or territory of the United States, by any other government agency, or by another  
California health care professional licensing board. A certified copy of the decision  
or judgment shall be conclusive evidence of that action."

#### 24 COST RECOVERY

25 7. In pertinent part Section 125.3 provides the Board may request the administrative law  
26 judge to direct a licensee found to have committed a violation or violations of the licensing act to  
27 pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case and  
28 provides the Board may include those costs in any settlement agreement.

1 CAUSE FOR DISCIPLINE

2 (Disciplinary Action by the Mississippi Board of Nursing)

3 8. Respondent is subject to discipline pursuant to Section 2761 subdivision (a)(4) on the  
4 grounds of unprofessional conduct because the Mississippi Board of Nursing (Mississippi Board)  
5 revoked her nursing license in 2006, as follows:

6 9. On or about June 7, 2006, the Mississippi Board entered findings of fact, conclusions  
7 of law, and made an order revoking Respondent's Mississippi nursing license in disciplinary  
8 action entitled *In the Matter of Mississippi License No. R-505153, which lapsed on or about*  
9 *12/31/2004, Issued to: Tressa Black*. The disciplinary order stated that Respondent's license was  
10 revoked for violating Mississippi Annotated Code section 73-15-29(1)(f)(negligently or willfully  
11 violating any order, rule or regulation of the board pertaining to nursing practice or licensure.)

12 10. Under Section 2761 subdivision (a)(4) the Mississippi Board's disciplinary action  
13 revoking Respondent's license in 2006 is ground for the California Board to take its own  
14 disciplinary action.

15 PRAYER

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
17 and that following the hearing, the Board of Registered Nursing issue a decision:

18 1. Revoking or suspending Registered Nurse License Number 583059, issued to Tressa  
19 Gill Black;

20 2. Ordering Tressa Gill Black to pay the Board of Registered Nursing the reasonable  
21 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
22 Code Section 125.3; and,

23 3. Taking such other and further action as deemed necessary and proper.

24 DATED: October 25, 2012

Louise R. Bailey  
LOUISE R. BAILEY, M.Ed., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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